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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,869	04/07/2006	Walter Fix	411000-144	6418
27162	7590	07/16/2010	EXAMINER	
CARELLA, BYRNE, CECCHI, OLSTEIN, BRODY & AGNELLO 5 BECKER FARM ROAD ROSELAND, NJ 07068				MONTALVO, EVA Y
ART UNIT		PAPER NUMBER		
2814				
MAIL DATE		DELIVERY MODE		
07/16/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/562,869	FIX ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Eva Y. Montalvo	2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 4/27/10.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,3 and 8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,3 and 8 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____ .                        |

**DETAILED ACTION**

1. This Office action responds to the amendment filed on 04/27/2010.

*Specification*

2. The disclosure is objected to because of the following informality:
3. The title of the invention is not descriptive. The examiner notes that the amendment to the claim contradicts with the title of the invention, particularly the title states a “potential free gate electrode” while the claims calls for "providing a potential at the gate electrode". A new title is required that is clearly indicative of the invention to which the claims are directed.

*Specification*

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. In the instant case, the description fails to provide support for “provide a potential at the gate electrode of the charging FET solely via the capacitive coupling”, as it is recited in claim 1. Appropriate correction is required. See 37 CFR 1.75 (d) (1) and MPEP § 608.01(o).

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1, 3 and 8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed

invention. In the instant case, the limitation “provide a potential at the gate electrode of the charging FET solely via the capacitive coupling” in claim 1, is not disclosed in drawings or written descriptions.

7. The examiner notes that drawings and written description discloses a resistor 18 connected in parallel to the gate electrode of the charging FET and in between the capacitor 14 and the gate electrode. The resistor can also provide/affect a potential to the gate electrode depending on the current and resistance. Since the written description failed to disclose that the resistor does not provide any potential the gate electrode, the written descriptions and drawings does not support the limitation “provide a potential at the gate electrode of the charging FET solely via the capacitive coupling”.

*Remarks*

8. Clemen in view of Mutsaers (cited in previous action) shows most limitations in the claims including a charging FET (5), a switching FET (2), and the drain/source electrodes of the charging and switching FET are connected in series, such that the gate of the charging FET is not connected directed to a voltage source, reference potential, input or output via an electrical line. The limitation in claim 1 of “provide a potential at the gate electrode of the charging FET solely via the capacitive coupling” is not disclosed by the prior art of record. However, said limitations fails to satisfy the written description requirement under 35 U.S.C. 112, first paragraph, as set forth above in paragraphs 6 and 7. Claims 1-10 to would be allowable if the applicants overcomes the rejection under 35 U.S.C. 112, first paragraph by showing that there is sufficient written description to inform a skilled artisan that the applicants were in possession of the

claimed invention as a whole at the time the application was filed. See MPEP § 2163 for guidelines pertaining the written description requirement.

***Response to Arguments***

9. Applicant's arguments with respect to claims 1, 3 and 8 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

11. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eva Y. Montalvo whose telephone number is (571)270-3829. The examiner can normally be reached on Monday through Thursday 7:30-5:30 EST.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marcos D. Pizarro-Crespo can be reached on (571)272-1716. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eva Montalvo  
Patent Examiner, Art Unit 2814

/Marcos D. Pizarro/  
Primary Examiner, Art Unit 2814